

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SHA-HEED RAHMAN,

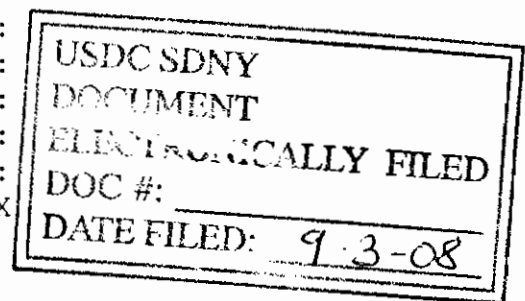
Plaintiff,

-v-

COMMISSIONER BRIAN FISHER, DEPUTY
COMMISSIONER LUCIEN J. LECLAIRE, DEPUTY
COMMISSIONER RICHARD ROY, ACTING
DIRECTOR SPECIAL HOUSING KEITH DUBRAY,
SUPERINTENDENT LUIS MARSHALL, FIRST
DEPUTY SUPERINTENDENT K. DECKER, HEARING:
OFFICER MRS. CALERO, OFFICER J. TEJEDA
Defendants.

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: 08 Civ. 4368 (DLC)
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: ORDER AND
: NOTICE OF INITIAL
: PRETRIAL CONFERENCE



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DENISE COTE, District Judge:

Counsel for the served defendants having requested by letter dated August 29, 2008 that the time to answer be extended through November 3, 2008, it is hereby

ORDERED that the served defendants' time to answer or otherwise respond to the complaint is extended until November 3, 2008.

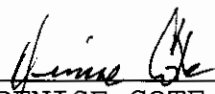
IT IS FURTHER ORDERED that all parties or their counsel appear for a pretrial conference with the Court on **December 5, 2008 at 2 p.m.** in Courtroom 11B, 500 Pearl Street. Principal trial counsel for each party must be present at the conference.

If you are incarcerated and do not have counsel, a family member or a representative may attend the conference for you. If

If you are incarcerated and do not have counsel, a family member or a representative may attend the conference for you. If you designate a representative, he or she should immediately contact Gloria Rojas, Courtroom Deputy Clerk, at (212) 805-0097, to advise the Court that they will be attending as your representative. The representative should provide Ms. Rojas with an address and telephone number at which he or she can be reached. A transcript will be made of the conference and it will be sent to you. You may also send a letter to the Court, **[by sending it to this Court's Pro Se Office, Room 230, United States Courthouse, 500 Pearl Street, New York, New York 10007]** which must be received prior to the conference, discussing any issues you wish to raise at the conference.

A copy of this Court's Individual Practices in Civil Pro Se Cases is enclosed. Attorneys and unrepresented parties are directed to consult these rules with respect to communications with chambers, requests for adjournments, and related matters.

Dated: New York, New York
September 3, 2008



DENISE COTE
United States District Judge

Issued: August 25, 2006

SPECIAL RULES OF PRACTICE IN CIVIL PRO SE CASES
DENISE COTE, UNITED STATES DISTRICT JUDGE

Pro Se Office

United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007
(212) 805-0175

COMMUNICATIONS

1. All communications with the Court by a pro se party should be addressed to the Pro Se Office, and must include an affidavit stating that a copy was sent to counsel for all parties.

FILING OF PAPERS

2. All papers to be filed with the Court by a pro se party, along with any courtesy copies of those papers, should be sent to the Pro Se Office, Room 230, United States Courthouse, 500 Pearl Street, New York, New York 10007.

DISCOVERY

3. All requests for discovery should be sent to counsel for the party. Discovery requests should not be sent to the Court.

MOTIONS

4. **Filing and Service:** All motions, unless brought on by an Order to Show Cause, should be made with a return date six weeks after the date of service. Unless otherwise ordered by the Court, opposing papers must be served and filed within four weeks of service of the motion papers, and reply papers, if any, must be served and filed within two weeks of receipt of opposition papers.
5. All motion papers should include one courtesy copy. All courtesy copies shall be clearly marked as such.
6. **Oral Argument:** Unless otherwise ordered by the Court, argument will not be heard in pro se matters.

INITIAL CASE MANAGEMENT CONFERENCE

7. The Court will generally schedule an initial case management conference within two months of the filing of the Complaint. Incarcerated parties may not be able to attend this or other conferences. If incarcerated parties do not have counsel, a family member or a representative may attend the conference. If a representative is designated, he or she should contact Gloria Rojas, Courtroom Deputy Clerk - telephone number (212) 805-0097, to determine the location of the conference. The Judge will also have a transcript of the conference sent to the incarcerated party. If an incarcerated party does not have counsel and a representative cannot be sent to a conference, the pro se party should write to the Judge regarding any issue the pro se party wishes to have addressed at the conference.

TRIAL DOCUMENTS

8. Within 30 days of the completion of discovery unless otherwise ordered by the Court, a pro se plaintiff shall file a concise, written Pretrial Statement. This Statement need take no particular form, but it must contain the following: 1) a statement of the facts plaintiff hopes to prove at trial; 2) a list of all documents or other physical objects that the plaintiff plans to put into evidence at trial; and 3) a list of the names and addresses of all witnesses plaintiff intends to have testify at trial. The Statement must be sworn by the plaintiff to be true and accurate based on the facts known by the plaintiff. The pro se plaintiff shall file an original of this Statement with the Pro Se Office and serve a copy on all defendants or their counsel if they are represented. The original Statement must include a certificate stating the date a copy was mailed to the attorney for the defendant. Two weeks after service of plaintiff's Statement, the defendant must file and serve a similar Statement of its case containing the same information.
9. At the time of filing the Pretrial Statement, any parties represented by counsel must also submit proposed findings of fact and conclusions of law, if the case is to be tried to the Court, or a proposed jury charge, if it will be tried before a jury. The pro se party may also file either proposed findings of fact and conclusions of law or a proposed jury charge, but is not required to do so.

COPIES SENT TO:

**Sha-Heed Rahman
90-A-0409
Clinton Correctional Facility
P.O. Box 2001
Dannemora, NY 12929**

**Susan H. Odessky
State of New York
Office of the Attorney General
120 Broadway
New York, NY 10271-0332**